

HONORABLE JOHN C. COUGHENOUR
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAWNUEL KELLY,

Plaintiff,

vs.

AAA BOWLS UNLIMITED, INC., a Washington
Corporation, dba SKYWAY PARK BOWL;)
OFFICER ALEX QUIRT and 'JANE DOE')
QUIRT, husband and wife and the marital)
Community composed thereof; and MARCUS)
HUMPHREY and 'JANE DOE')
HUMPHREY, husband and wife and the)
marital community composed thereof.)

Defendants.

NO. 2:04-CV-02214-JCC

STIPULATED CONFIDENTIALITY
AGREEMENT AND PROTECTIVE
ORDER REGARDING CERTAIN
DOCUMENTATION AND TAPES
MAINTAINED BY AAA BOWLS
UNLIMITED, INC.

STIPULATION

Plaintiff DAWNUELL KELLY, by and through his attorney of record Jennifer Bucher, and
Defendants AAA BOWLS UNLIMITED, INC., a Washington corporation dba SKYWAY PARK
BOWL, AND OFFICER ALEX QUIRT individually and as an employee of SKYWAY PARK BOWL
and OFFICER ALEX QUIRT and "JANE DOE" QUIRT, as a marital community and MARCUS
HUMPHREY, individually and as an employee of SKYWAY PARK BOWL, and MARCUS
HUMPHREY and "JANE DOE" HUMPREY, as a marital community, by and through their attorney of
USDC CASE NO. 2:04-cv-02214-JCC
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1 record, John Francis Kennedy and OFFICER ALEX QUIRT, by and through his attorney David Eldred,
2 do hereby agree to enter into a protective order regarding certain documents and surveillance video
3 tapes maintained by Defendant AAA Bowls Unlimited, Inc.
4

5 On September 27, 2005, this Court entered an Order, which provided that Defendant AAA
6 Bowls Unlimited, Inc. produce certain documents that were the subject of the plaintiff's first set of
7 interrogatories and requests for production propounded to Defendant AAA Bowls Unlimited and
8 which Order further provided additional terms and conditions protecting the documents to be produced.
9

10 The plaintiff also propounded a second set of interrogatories and requests for production to
11 Defendant AAA Bowls Unlimited, as well as interrogatories and a second set of requests for production
12 to Defendants Marcus Humphrey and Alex Quirt, which in part request additional information regarding
13 certain incidents that have occurred at Skyway Park Bowl and further request production of documents
14 maintained by Skyway Park Bowl related to these incidents, which Defendant AAA Bowls Unlimited,
15 Inc.'s represents includes incident reports, photographs, trespass admonishments, and related
16 documents (hereinafter "incident documentation").
17

18 The plaintiff also propounded a second supplemental request for production regarding certain
19 video tape recordings made by Skyway Park Bowl's surveillance cameras, consisting of twelve tapes
20 (hereinafter "tapes.")

21 The "incident documentation" and the "tapes" contain personal and private information,
22 necessitating the use of a protective order. The parties agree to adopt the terms of the Court's Order
23 of September 27, 2005 with respect to the manner of production and protection of the above referenced
24 "incident documentation" as well as the "tapes" that will be produced by Defendant AAA Bowls
25

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1 Unlimited, Inc. as potentially responsive to the above referenced plaintiff's discovery requests. These
2 terms are set forth below in the Order portion of this pleading.

3
4 LAW OFFICES OF JOHN FRANCIS KENNEDY

5 By: s/John Francis Kennedy
6 JOHN FRANCIS KENNEDY, WSBA #5692
7 Attorney for Defendants,
8 AAA BOWLS UNLIMITED, INC., a Washington
9 Corporation, dba SKYWAY PARK BOWL;
10 OFFICER ALEX QUIRT and 'JANE DOE'
11 QUIRT, husband and wife and the marital
12 community composed thereof; and MARCUS
13 HUMPHREY and 'JANE DOE'
14 HUMPHREY, husband and wife and the
15 marital community composed thereof.

16
17 GARVEY SCHUBERT BARER

18
19 By: s/Jennifer Bucher
20 JENNIFER BUCHER, WSBA #23971
21 Attorney for Plaintiff Dawnuel Kelly

22
23 NORM MALENG,
24 KING COUNTY PROSECUTING ATTORNEY

25
26 By: s/David Eldred
DAVID ELDRED, WSBA #26125
Attorney for Defendant OFFICER ALEX
QUIRT

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PROTECTIVE ORDER

1. Defendant AAA Bowl Unlimited, Inc. shall produce a copy of all “incident documentation” in its possession to the present date.
2. Defendant AAA Bowl Unlimited, Inc. shall produce a copy of twelve surveillance video tapes made by Skyway Park Bowl for the time period October 1 and 2, 2005, which copying shall be made at the expense of the plaintiff.
3. Defendant AAA Bowl Unlimited, Inc. shall omit from the “incident documentation” produced pursuant to this Order information relating to the Social Security Numbers, birth dates, and driver’s license and license plate numbers of all parties referenced therein.
4. Materials produced pursuant to this Order may be disclosed only to the following persons: (a) counsel for any party to this action: (b) those assisting counsel for any party to this action: (c) court personnel engaged in proceedings that are necessarily incidental to preparation for the trial of this action: (d) any outside expert or consultant retained in connection with this action: and (e) witnesses, who may have the material disclosed to them during deposition proceedings but may not leave the deposition with copies of the materials.
5. Plaintiff shall only use the “incident documentation” and “tapes” produced pursuant to this Order for the purposes of this litigation.

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6. Plaintiff shall return all "incident documentation" and "tapes" produced pursuant to this Order to Defendant Skyway at the conclusion of this litigation.

SO ORDERED this 22nd day of November, 2005.



HONORABLE JOHN C. COUGHENOUR
UNITED STATES DISTRICT JUDGE

Presented by:
LAW OFFICES OF JOHN FRANCIS KENNEDY

By: s/John Francis Kennedy
JOHN FRANCIS KENNEDY, WSBA #5692
Attorney for Defendants,
AAA BOWLS UNLIMITED, INC., a Washington
Corporation, dba SKYWAY PARK BOWL;
OFFICER ALEX QUIRT and 'JANE DOE'
QUIRT, husband and wife and the marital
community composed thereof; and MARCUS
HUMPHREY and 'JANE DOE'
HUMPHREY, husband and wife and the
marital community composed thereof.

Approved as to form:
Notice of presentation waived.
GARVEY SCHUBERT BARER

By: s/Jennifer Bucher
JENNIFER BUCHER, WSBA #2397
Attorney for Plaintiff Dawnuel Kelly

NORM MALENG,
KING COUNTY PROSECUTING ATTORNEY

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1 By: s/David Eldred

2 DAVID ELDRED, WSBA #26125

3 Attorney for Defendant OFFICER ALEX QUIRT

CERTIFICATE OF SERVICE

4 I HEREBY CERTIFY THAT ON November 18, 2005, I electronically filed the foregoing
5 STIPULATED CONFIDENTIALITY AGREEMENT AND PROTECTIVE ORDER REGARDING
6 CERTAIN DOCUMENTATION AND TAPES MAINTAINED BY AAA BOWLS UNLIMITED,
7 INC. with the Clerk of Court using the CM/ECF system which will send notification of such filing to
8 the following:
9

10 Jennifer D. Bucher
11 jbucher@gsblaw.com

12 Ronald J. Knox
13 rknox@gsblaw.com

14 David Eldred
15 david.eldred@metrokc.gov

16 s/John Francis Kennedy
17 WSBA #5692
18 Law Offices of John Francis Kennedy
19 3419 Harborview Drive
20 Gig Harbor, WA 98332-2127

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